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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **(SAN FRANCISCO DIVISION)**

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16 SHASTA STRATEGIC INVESTMENT
17 FUND, LLC; AND PRESIDIO GROWTH
LLC (Tax Matters Partner),

18 Petitioners,

19 v.

20 UNITED STATES OF AMERICA,

21 Respondent.
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CASE NO. C-04-4264-RS
(Related to Case Nos. C-04-4309-RS, C-04-4398-RS, C-04-4964-RS, C-05-1123-RS, C-05-1996-RS, C-05-2835-RS, and C-05-3887-RS)

**[PROPOSED] STIPULATION TO
EXTEND DISCOVERY**

Pursuant to Fed. R. Civ. P. 29 and Local Rule 6-2, Petitioners Presidio Growth, LLC and Presidio Resources, LLC (“Petitioners”), Intervenor J. Paul Reddam and Clarence Ventures, LLC, Intervenor Tom Gonzales and Birch Ventures, LLC (“Intervenors”), and Respondent, the United States, hereby request that the Court permit discovery in this case to be extended for the following enumerated limited purposes until February 28, 2014:

- The parties may resolve any currently outstanding issues related to the United States’ August 22 and September 12 supplementations of its prior discovery responses.
- The parties may complete the process of production and review of the *Stein/Larson* documents, as agreed to in the parties’ prior stipulation of July 24, 2013.
- The parties may take depositions of designated trial witnesses that have not yet been deposed in this case.¹ In so stipulating to this extension, counsel for the United States does not agree, at this time, to use of any such depositions in connection with pending dispositive motions.

The above-named parties further request that the Court hold in abeyance any ruling on pending motions for summary judgment until the close of the additional discovery period.

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¹ It is the United States’ position that depositions should be limited to witnesses listed on *adverse parties’* trial witness lists, exchanged on September 30, 2013. However, the Intervenor disagrees, and the parties are currently working to resolve this dispute without the Court’s intervention.

Respectfully submitted this 22nd day of October, 2013.

/s/ Steven M. Bauer
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/s/ James E. Weaver
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/s/ Dashiell C. Shapiro
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Wood LLP, Attorney for Intervenors
Tom Gonzales and Birch Ventures

PURSUANT TO STIPULATION, IT IS SO ORDERED. The order of July 24, 2013 is modified to extend the deadline for obtaining discovery (for the limited purposes enumerated in that order and above) from November 14, 2013 to February 28, 2014.

Dated: 10/22/13



Honorable Richard Seeborg
United States District Judge